

AMENDED IN ASSEMBLY APRIL 16, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 254

Introduced by Assembly Member Jeffries

February 11, 2009

An act to amend Section 23301 of, and to add Section 23301.5 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 254, as amended, Jeffries. Emergency vehicles: payment of tolls: exemptions.

Under existing law, a vehicle that enters into or upon a vehicular crossing immediately becomes liable for tolls and other charges prescribed by the California Transportation Commission.

Under existing law, it is unlawful to refuse to pay, or to evade or attempt to evade the payment of, tolls or other charges on any vehicular crossing, as defined, or toll highway.

This bill would exempt authorized emergency vehicles, as defined, from payment of a toll or charge on a vehicular crossing or toll highway and any related fines, under specified conditions, including, but not limited to, when the vehicle is being driven while responding to an urgent or emergency call, participating in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 23301 of the Vehicle Code is amended to read:

23301. Except as provided in Section 23301.5, each vehicle that enters into or upon a vehicular crossing immediately becomes liable for those tolls and other charges as may from time to time be prescribed by the California Transportation Commission.

SEC. 2. Section 23301.5 is added to the Vehicle Code, to read:

23301.5. (a) An authorized emergency vehicle is exempt from any requirement to pay ~~toll(s) or other charges~~ *a toll or other charge* on a vehicular crossing or toll highway, including the requirements of Section 23301, if all of the following conditions are satisfied:

(1) The authorized emergency vehicle is properly displaying an exempt California license plate, and is properly identified or marked as an authorized emergency vehicle, including, but not limited to, displaying an external surface-mounted red warning light, blue warning light, or both, and displaying public agency identification, including, but not limited to, "Fire Department," "Sheriff," or "Police."

(2) The vehicle is being driven while responding to an urgent or emergency call, participating in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response, and the vehicle's red warning light, blue warning light, or both, are lighted.

(3) The driver of the vehicle determines that the use of the toll facility shall likely improve the response and arrival time of the authorized emergency vehicle and its delivery of essential public safety services.

(b) If the operator of a toll facility elects to send a bill or invoice to the public agency for the use of the toll facility by an authorized emergency vehicle, exempt pursuant to subdivision (a), the fire chief, police chief, county sheriff, head of the public agency, or his or her designee is authorized to certify in writing that the authorized emergency vehicle is exempt from the payment of the toll or other charge in accordance with this section. The letter shall be accepted by the toll operator in lieu of payment and is a public document.

1 (c) This section shall not prohibit a toll operator and a local
2 emergency service provider from entering into an agreement, *or*
3 *a toll operator, from having a policy*, that meets or exceeds the
4 conditions of this section.

5 (d) Sections 23302 and 23302.5 do not apply to authorized
6 emergency vehicles exempt pursuant to this section.

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